

**HAWAII STATE
HOUSE OF REPRESENTATIVES**

REGULAR SESSION OF 2022

***ROUGH DRAFT
JOURNAL***

**FIFTY-THIRD DAY
APRIL 21, 2022**

OFFICE OF THE CHIEF CLERK

BT

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FIFTY-THIRD DAY

Thursday, April 21, 2022

The House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022, convened at 11:34 a.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Representative Sonny Ganaden, after which the Roll was called showing all members present, with the exception of Representatives Hashem and McKelvey, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Second Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 881 through 885) were received and announced by the Clerk:

Sen. Com. No. 881, dated April 20, 2022, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Concurrent Resolutions:

S.C.R. No. 26, HD 1
S.C.R. No. 90, HD 1

Sen. Com. No. 882, dated April 20, 2022, informing the House that the Senate has on April 19, 2022 reconsidered its action taken on April 14, 2022 in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 2002, SD 2, HD 2
S.B. No. 2043, HD 1
S.B. No. 2817, SD 1, HD 1
S.B. No. 3046, SD 1, HD 2
S.B. No. 3113, SD 2, HD 1

Sen. Com. No. 883, dated April 20, 2022, informing the House that the President has appointed as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 986, HD 1, SD 2	Keohokalole, Chair; Rhoads/Misalucha, Co-Chairs; Moriwaki, Fevella
H.B. No. 987, HD 1, SD 1	Keohokalole, Chair; Rhoads/Shimabukuro, Co-Chairs; Moriwaki, Fevella
H.B. No. 1459, HD 1, SD 1	Rhoads, Chair; Keohokalole, Lee, Fevella
H.B. No. 1752, HD 3, SD 1	Chang, Chair; Rhoads/Keith-Agaran, Co-Chairs; Moriwaki, Fevella
H.B. No. 1903, HD 1, SD 2	DeCoite, Chair; Gabbard, Co-Chair; Fevella
H.B. No. 2119, HD 2, SD 1	Nishihara, Chair; Shimabukuro, Co-Chair; Fevella
H.B. No. 2120, HD 1, SD 2	Nishihara, Chair; Gabbard/Kanuha, Co-Chairs; Baker, Fevella
H.B. No. 2345, HD 1, SD 2	Chang, Chair; Kidani/Shimabukuro, Co-Chairs; Fevella
H.B. No. 2513, HD 2, SD 2	Chang, Chair; Inouye, Co-Chair; Moriwaki, Fevella

Sen. Com. No. 884, dated April 20, 2022, informing the House that the President has appointed as conferees on the part of the Senate for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 204,
SD 1, HD 1

Inouye, Chair; Rhoads, Co-Chair;
Keith-Agaran, Fevella

S.B. No. 416,
SD 1, HD 2

Rhoads, Chair;
Lee, Fevella

S.B. No. 1107,
SD 2, HD 1

Nishihara, Chair; Keith-Agaran, Co-Chair;
Fevella

S.B. No. 1411,
SD 2, HD 1

Inouye, Chair; Acasio, Co-Chair;
Misalucha, Fevella

S.B. No. 2056,
SD 1, HD 1

Inouye, Chair; Gabbard/Shimabukuro, Co-Chairs;
Keith-Agaran, Fevella

S.B. No. 2182,
SD 1, HD 1

Kidani, Chair; Shimabukuro, Co-Chair;
Fevella

S.B. No. 2214,
SD 2, HD 1

Kidani, Chair; Misalucha, Co-Chair;
Fevella

S.B. No. 2370,
SD 2, HD 1

San Buenaventura, Chair;
Moriwaki/Kanuha, Co-Chairs;
Ihara, Fevella

S.B. No. 2818,
SD 2, HD 1

Kidani, Chair; Shimabukuro, Co-Chair;
Kanuha, Fevella

S.B. No. 2820,
SD 2, HD 1

Kidani, Chair; Misalucha, Co-Chair;
Fevella

S.B. No. 2823,
SD 2, HD 1

Kidani, Chair; Shimabukuro, Co-Chair;
Fevella

S.B. No. 2824,
SD 1, HD 1

Kidani, Chair; Kim, Co-Chair;
Fevella

S.B. No. 2826,
SD 2, HD 1

Kidani, Chair; Kanuha, Co-Chair;
Fevella

S.B. No. 2960,
SD 1, HD 1

Gabbard, Chair; Shimabukuro, Co-Chair;
Acasio, Fevella

S.B. No. 2990,
SD 1, HD 1

Gabbard, Chair; Shimabukuro, Co-Chair;
Acasio, Fevella

S.B. No. 2992,
SD 1, HD 1

Gabbard, Chair; Shimabukuro, Co-Chair;
Misalucha, Fevella

S.B. No. 3197,
SD 2, HD 1

Gabbard, Chair; Shimabukuro, Co-Chair;
Fevella

S.B. No. 3280,
SD 1, HD 1

Kidani, Chair; Inouye, Co-Chair;
Kanuha, Fevella

S.B. No. 3289,
SD 2, HD 2

Taniguchi, Chair; Kanuha, Co-Chair;
Ihara, Fevella

S.B. No. 3325,
SD 2, HD 1

Gabbard, Chair; Wakai, Co-Chair;
Keith-Agaran, Fevella

S.B. No. 3379,
SD 1, HD 1

Gabbard, Chair; Lee, Co-Chair;
Misalucha, Fevella

Sen. Com. No. 885, dated April 20, 2022, informing the House that the President has appointed as conferees on the part of the Senate for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2309,
HD 2, SD 2

Nishihara, Chair; Moriwaki, Co-Chair;
Fevella

At 11:39 a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:52 a.m.

ORDER OF THE DAY

FINAL READING

Representative Belatti moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Morikawa and carried: (Representatives Hashem and McKelvey were excused.)

H.B. No. 1455, HD 1, (SD 1)
 H.B. No. 1456, HD 1, (SD 1)
 H.B. No. 1469, HD 1, (SD 1)
 H.B. No. 1486, HD 2, (SD 1)
 H.B. No. 1653, HD 2, (SD 2)
 H.B. No. 1672, HD 1, (SD 2)
 H.B. No. 1806, HD 2, (SD 1)
 H.B. No. 1810, HD 1, (SD 1)
 H.B. No. 2006, HD 1, (SD 1)
 H.B. No. 2074, HD 1, (SD 1)
 H.B. No. 2089, HD 1, (SD 2)
 H.B. No. 2213, HD 1, (SD 1)
 H.B. No. 2332, HD 1, (SD 2)
 H.B. No. 2337, HD 1, (SD 1)
 H.B. No. 2422, HD 1, (SD 1)

SUSPENSION OF RULES

On motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representative Hashem and McKelvey were excused.)

FINAL READING

H.B. No. 1455, HD 1, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1455, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ROBBERY IN THE FIRST DEGREE," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Perruso voting no, and with Representatives Hashem and McKelvey being excused.

H.B. No. 1456, HD 1, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1456, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT IN THE SECOND DEGREE," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Perruso voting no, and with Representatives Hashem and McKelvey being excused.

H.B. No. 1469, HD 1, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1469, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO UNAUTHORIZED CONTROL OF A PROPELLED VEHICLE," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Kapela voting no, and with Representatives Hashem and McKelvey being excused.

H.B. No. 1486, HD 2, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1486, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Kapela and Perruso voting no, and with Representatives Hashem and McKelvey being excused.

H.B. No. 1653, HD 2, SD 2:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1653, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Final Reading by a vote of 49 ayes, with Representatives Hashem and McKelvey being excused.

H.B. No. 1672, HD 1, SD 2:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1672, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL IMPROVEMENT DISTRICTS," passed Final Reading by a vote of 49 ayes, with Representatives Hashem and McKelvey being excused.

H.B. No. 1806, HD 2, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1806, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CESSPOOL CONVERSION," passed Final Reading by a vote of 49 ayes, with Representatives Hashem and McKelvey being excused.

H.B. No. 1810, HD 1, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1810, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL ADVISORY COUNCIL," passed Final Reading by a vote of 49 ayes, with Representatives Hashem and McKelvey being excused.

H.B. No. 2006, HD 1, SD 1:

Representative Belatti moved that H.B. No. 2006, HD 1, SD 1 pass Final Reading, seconded by Representative Morikawa.

Representative Perruso rose to speak in opposition to the measure, stating:

"In opposition. So, while I appreciate the intent of this measure, I can't support it because I've watched these sandbags disintegrate. And if you place identifying information on one part of the sandbag, there is no guarantee as they dissolve in the ocean that you would be able to identify the other parts that have become disconnected from that identifying tag. So, for that reason, I'm opposing."

The motion was put to vote by the Chair and carried, and H.B. No. 2006, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PERMITS," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Kapela and Perruso voting no, and with Representatives Hashem and McKelvey being excused.

H.B. No. 2074, HD 1, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2074, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CREDIT FOR TIME OF DETENTION PRIOR TO SENTENCE," passed Final Reading by a vote of 49 ayes, with Representatives Hashem and McKelvey being excused.

H.B. No. 2089, HD 1, SD 2:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2089, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE PORTFOLIO STANDARDS," passed Final Reading by a vote of 49 ayes, with Representatives Hashem and McKelvey being excused.

H.B. No. 2213, HD 1, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2213, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MAIL THEFT," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Kapela voting no, and with Representatives Hashem and McKelvey being excused.

H.B. No. 2332, HD 1, SD 2:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2332, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EASEMENTS," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Kapela voting no, and with Representatives Hashem and McKelvey being excused.

H.B. No. 2337, HD 1, SD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2337, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Wildberger voting no, and with Representatives Hashem and McKelvey being excused.

H.B. No. 2422, HD 1, SD 1:

Representative Belatti moved that H.B. No. 2422, HD 1, SD 1 pass Final Reading, seconded by Representative Morikawa.

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and H.B. No. 2422, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Final Reading by a vote of 47 ayes to 2 noes, with Representative Har voting aye with reservations, with Representatives Ganaden and Kapela voting no, and with Representatives Hashem and McKelvey being excused.

At 11:58 a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1455, HD 1, SD 1
H.B. No. 1456, HD 1, SD 1
H.B. No. 1469, HD 1, SD 1
H.B. No. 1486, HD 2, SD 1
H.B. No. 1653, HD 2, SD 2
H.B. No. 1672, HD 1, SD 2
H.B. No. 1806, HD 2, SD 1
H.B. No. 1810, HD 1, SD 1
H.B. No. 2006, HD 1, SD 1
H.B. No. 2074, HD 1, SD 1
H.B. No. 2089, HD 1, SD 2
H.B. No. 2213, HD 1, SD 1
H.B. No. 2332, HD 1, SD 2
H.B. No. 2337, HD 1, SD 1
H.B. No. 2422, HD 1, SD 1

SUSPENSION OF RULES

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representatives Hashem and McKelvey were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Belatti moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Morikawa and carried: (Representatives Hashem and McKelvey were excused.)

H.B. No. 886, HD 1, (SD 2)
H.B. No. 1472, HD 1, (SD 1)
H.B. No. 1743, HD 1, (SD 1)
H.B. No. 1789, HD 2, (SD 1)
H.B. No. 1848, HD 2, (SD 1)
H.B. No. 1883, HD 1, (SD 1)
H.B. No. 2076, HD 1, (SD 2)
H.B. No. 2113, HD 2, (SD 1)
H.B. No. 2115, HD 1, (SD 1)
H.B. No. 2340, HD 2, (SD 2)
H.B. No. 2471, HD 1, (SD 2)
H.B. No. 2495, HD 1, (SD 1)

At this time, the Chair stated:

"Members, these measures will appear on tomorrow's Order of the Day for final reading."

ANNOUNCEMENTS

Representative Yamashita, for the Committee on Finance, requested a waiver of the 48-hour advanced notice requirement for the purpose of decision-making on the following measures on Thursday, April 21, 2022, at 1:30 p.m. in Conference Room 308, and the Chair "so ordered."

S.C.R. No. 34, SD 1, HD 1, Requesting the Early Learning Board to Evaluate and Report to the Legislature Regarding the Board's Composition and Charter and to Develop a Strategic Plan; and

S.C.R. No. 35, SD 1, HD 1, Requesting the University of Hawaii - West Oahu to Re-Establish a Pre-nursing Pathway or Create a Permanent Nursing Program for Students.

Representative Ward: "Thank you, Mr. Speaker. Final friendly reminder that Timmy Chang, UH football coach, will be speaking in Room 437 immediately after session. Thank you."

ADJOURNMENT

At 12:01 p.m., on motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the House of Representatives adjourned until 11:30 a.m. tomorrow, Friday, April 22, 2022. (Representatives Hashem and McKelvey were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 21, 2022, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the Speaker has this day appointed as conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 1903, Nakashima/Kitagawa, Co-Chrs.;
HD 1, SD 2 Matayoshi, Ward

House Communication dated April 21, 2022, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the Speaker has this day appointed as conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2510, Onishi/Nishimoto, Co-Chrs.;
HD 2, SD 1 Ilagan, Okimoto

House Communication dated April 21, 2022, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on March 29, 2022, and gives its notice of intent to agree to the following House Bill:

H.B. No. 1472, HD 1, SD 1

House Communication dated April 21, 2022, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 4, 2022, and gives its notice of intent to agree to the following House Bill:

H.B. No. 2115, HD 1, SD 1

House Communication dated April 21, 2022, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 8, 2022, and gives its notice of intent to agree to the following House Bills:

H.B. No. 1743, HD 1, SD 1
H.B. No. 1789, HD 2, SD 1
H.B. No. 2495, HD 1, SD 1

House Communication dated April 21, 2022, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2022, and gives its notice of intent to agree to the following House Bills:

H.B. No. 2113, HD 2, SD 1
H.B. No. 2340, HD 2, SD 2

House Communication dated April 21, 2022, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 14, 2022, and gives its notice of intent to agree to the following House Bills:

H.B. No. 886, HD 1, SD 2
H.B. No. 1848, HD 2, SD 1
H.B. No. 1883, HD 1, SD 1
H.B. No. 2076, HD 1, SD 2
H.B. No. 2471, HD 1, SD 2

House Communication dated April 21, 2022, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 1455, HD 1, SD 1
H.B. No. 1456, HD 1, SD 1
H.B. No. 1469, HD 1, SD 1
H.B. No. 1486, HD 2, SD 1
H.B. No. 1653, HD 2, SD 2
H.B. No. 1672, HD 1, SD 2
H.B. No. 1806, HD 2, SD 1
H.B. No. 1810, HD 1, SD 1
H.B. No. 2006, HD 1, SD 1
H.B. No. 2074, HD 1, SD 1
H.B. No. 2089, HD 1, SD 2
H.B. No. 2213, HD 1, SD 1
H.B. No. 2332, HD 1, SD 2
H.B. No. 2337, HD 1, SD 1
H.B. No. 2422, HD 1, SD 1